

Docket No.: 050340-0174



PATENT

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
Masatoshi IIO	:	Confirmation Number: 7440
Application No.: 10/510,480	:	Group Art Unit: 3749
Filed: October 07, 2004	:	Examiner: BASICHAS, Alfred
For: FUEL CELL POWER PLANT WARM UP	:	

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Noting the Office Action of November 2, 2006 wherein restriction has been required, Applicant hereby elects Species II, claims 1-6 and 10 readable thereon, for prosecution in the above-identified application. Applicant submits that claims 1-3 are generic to Species I-III and that claim 10 is generic to Species II and III. Upon the allowance of the claims of Species II, Applicant requests the examination and allowance of the withdrawn species.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,  
McDERMOTT WILL & EMERY LLP

*Bernard P. Codd*

Bernard P. Codd  
Registration No. 46,429

**Please recognize our Customer No. 20277 as  
our correspondence address.**

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**Date: November 28, 2006**